

REMARKS/ARGUMENTS

In the Office Action mailed July 5, 2007, claims 1, 5, 6, 10, 11 and 15-29 were rejected by the Office. Paragraph [0030] of the specification has been deleted. Claims 1, 6, 11, 23-25, 28, and 29 were amended. The amendments to claims 23 and 25 include corrections of typographical errors.

Applicants have thoroughly reviewed the outstanding Office Action including the Office's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references. No new matter has been added.

SPECIFICATION

Applicants have amended the specification deleting paragraph [0030] which was duplicative of paragraph [0029].

CLAIM REJECTIONS – 35 U.S.C. §101

The Office rejected claims 11, 24 and 28 under 35 U.S.C. §101, suggesting that the claimed invention is directed to non-statutory subject matter for including method steps that are using the structure recited in the same apparatus claim.

Applicants have amended claims 11, 24, and 28 to further describe structural limitations of the data input, means for displaying, and microprocessor, and remove any potential issues of having both system and method elements in a claim. Withdrawal of the rejection is respectfully submitted.

CLAIM REJECTIONS – 35 U.S.C. §112

The Office rejected claims 1, 5, 11, 15-20, and 23-29 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

With regard to claim 1, the Office suggests that the scope of the word “data” is unclear. Applicants have amended claim 1 by replacing “data” with terms that more specifically point out the information displayed. In light of this amendment, Applicants believe that claim 1 is allowable.

With regard to claims 11, 24, and 28, the Office suggests that the language of the claims makes it unclear as to whether infringement of the claims would occur by just having the system or if use of the system is required. Applicants have amended claims 11, 24, and 28 in response to the Office’s rejection of these claims based on 35 U.S.C. §101. In light of these amendments, Applicants believe that the present 35 U.S.C. §112 rejections of claims 11, 24, and 28 are moot and respectfully request that they be withdrawn.

In regards to claims 25 and 29, the Office suggests that it is unclear what the scope of the claims are if they are reciting a combination of the system with a separate device. Applicants have amended claims 25 and 29 to clarify that the claimed system may be a computing device, not combined with a computing device. In light of these amendments, Applicants believe that claims 25 and 29 are now allowable.

Claims 5 and 20 depend directly or indirectly from claim 1, and claims 15-19, 26, and 27 depend directly or indirectly from claim 11. In light of the amendments to claims 1 and 11, Applicants believe that the rejections to claims 5, 15-20, 26, and 27 are moot and respectfully submit that they be withdrawn.

Claim 23 depends directly from claim 6, and in light of the amendment to claim 6 infra, Applicants believe the rejection of claim 23 is moot and respectfully submit that it be withdrawn. Any amendments to claim 23 have been made solely for clarification purposes and to correct a typographical error.

CLAIM REJECTIONS – 35 U.S.C. §102

The Office rejected claims 6, 10, 11, 15, 21, 22 and 24-29 under 35 U.S.C. §102(e) as being anticipated by Li (US 2002/0072808). In light of the following remarks, Applicants respectfully submit that these claims are allowable.

With regard to claims 6 and 11, the Office limited its interpretation of part of the claims, noting that for claim 6, applicant should take notice that the language of “*means for receiving vehicle diagnostic information into the system*” from a vehicle diagnostic system” has been considered only to the extent that this is claiming a “means for receiving” information by the system. The same is true for claim 11 and the language about the “data input” and where it comes from. The source of that information (i.e. where it comes from) is not part of the claim scope. Following this interpretation of the claims, the Office rejected claims 6 and 11 on the grounds that Li discloses all the claimed limitations, including *means for receiving vehicle diagnostic information into the system/data input*.

Applicants have amended claim 6 and 11 to clarify that the previously claimed vehicle diagnostic equipment was intended as a structural element included as part of the system/apparatus as the source of the information/data provided to the means for receiving/data input, a limitation not claimed in Li. In light of these amendments, Applicants believe the claims are now allowable.

Claims 10, 21, 22, 24, and 25, depend directly from claim 6, and claims 15, 19, and 26-28 depend directly or indirectly from claim 11. In light of the amendments to claims 6 and 11, Applicants believe that the rejections to claims 10, 15, 21, 22, and 24-29 are moot and respectfully submit they be withdrawn.

CLAIM REJECTIONS – 35 U.S.C. §103

The Office rejected claims 1, 5, 6, 10, 11, 15-29 under 35 U.S.C. §103(a) as being unpatentable over Li in view of Kirkevold *et al.* (US 6,263,322; “Kirkevold”).

With respect to claims 1, 6, and 11, the Office suggests that Li discloses all of the claim limitations except for diagnostic information received “*directly from diagnostic equipment*,” which the Office suggests is disclosed in Kirkevold. The Office believes that combining these references would have been obvious to one of ordinary skill in the art at the time of invention, and that the combination would be a desirable modification to the Li reference.

Applicants have amended claims 1, 6, and 11 to include a limitation that further differentiates the invention from the Li and Kirkevold combination by claiming that the parts of the invention are intended for use by a mechanic. In light of these amendments, Applicants believe that the claims continue to be nonobvious and respectfully submit that the rejections be withdrawn.

Claim 5 and 20 depend directly from claim 1, claims 10 and 21-25 depend directly from claim 6, and claims 15-19 and 26-29 depend directly or indirectly from claim 11. In light of the amendments to claims 1, 6, and 11, Applicants believe that the rejections of claims 5, 10, and 15-29 are moot and respectfully submit they be withdrawn.

CONCLUSION

In view of the foregoing remarks, Applicants respectfully request that all the objections and rejections to the claims be removed and that the claims pass to allowance. If, for any reason, the Examiner disagrees, please call the undersigned attorney at 202-861-1610 in an effort to resolve any matter still outstanding before issuing another action. The undersigned Attorney is confident that any issue which might remain can readily be worked out by telephone.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to our Docket No. 87354.1581.

Respectfully submitted,
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